

SO ORDERED:

12/6/2024



HON. ROBERT W. LEHRBURGER
UNITED STATES MAGISTRATE JUDGE

HARRIS BEACH PLLC
ATTORNEYS AT LAW

677 BROADWAY, SUITE 1101
ALBANY, NY 12207
(518) 427-9700

DANIEL R. LeCOURS
PARTNER
DIRECT: (518) 701-2749
FAX: (518) 427-0235
DLECOURS@HARRISBEACH.COM

December 5, 2024

VIA ECF

United States Magistrate Judge Robert W. Lehrburger
U.S. District Court for the Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, New York 10007

Re: Robert Nock v. Spring Energy RRH, LLC et al., United States District Court,
Southern District of New York, Case No. 1:23-cv-01042

Dear Judge Lehrburger:

This office represents the Defendants, Spring Energy RRH, LLC d/b/a Spring Power & Gas (“Spring Energy”); RRH Energy Services, LLC (“RRH”); and Richmond Road Holdings, LLC (“Richmond Road”) (collectively “Defendants”) in the above-referenced matter. We write pursuant to Your Honor’s Individual Rules to renew Defendants’ request that the Court permit the filing under seal of certain items submitted in connection with pending discovery motions (ECF Nos. 204, 205, and 206). The parties have conferred, and the results of such conferral are set forth below.

Plaintiff does not oppose removing the redactions in ECF No. 204, as well as the first and second redactions in ECF No. 205, and to include the redactions in 206-4, subject to Defendants un-redacting counsel’s reactions to such testimony (Tr. 33:1 and 33:24), and subject to the inclusion the following statement in this letter (the substance of which Defendants disagree with):

Nock consents to filing the portions of Defendants’ oppositions (ECF Nos. 204 and 205) characterizing the call records in the public record, subject to the inclusion of this paragraph in Defendants’ subsequent motion to seal. Defendants’ oppositions do not reveal the kind of information Nock’s confidentiality designations seek to protect. However, Nock disputes Defendants’ redacted statements, their characterization of the call records, and especially whether the record warrants attributing Maryland area code call records during the relevant time period to Defendants. Likewise, Nock has agreed not to oppose the remaining redactions from ECF No. 206-4, in the public record, but vehemently denies Defendants’ claim that counsel’s reactions are evidence of misconduct. Nock’s consent is not any waiver of such disputes.

Defendants withdraw their request concerning the third redaction in ECF No. 205.

The only remaining sealed content would be in ECF No. 206-4, which the Court has already agreed warrants sealing (*see* ECF No. 203). The same rationale previously explained by Defendants in ECF No. 202 warrants maintain the confidentiality of the portions of Gregory Hasiak’s deposition (*id.* [describing 33.1-34.12 as reflecting “highly-confidential information

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concerning the finances and shareholder governance of Defendants, which are private companies,” which, if disclosed, would “provide valuable insights into a company's current business practices that a competitor would seek to exploit”]).

Thank you for your consideration of this matter.

Respectfully submitted,

/s/ Daniel R. LeCours

Daniel R. LeCours

cc: Counsel of record (via ECF)